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**JAN 23 2007**

Attorney Docket No. 06016/LH

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): Hiroshi SAWADA  
Serial No. : 10/567,614  
Filed : February 8, 2006  
For : HYDRAULIC DRIVING CONTROL  
DEVICE AND HYDRAULIC SHOVEL  
WITH THE CONTROL DEVICE  
Examiner : Not yet assigned  
Art Unit : 3671  
Confirm. No.: 2022  
Customer No.: 01933

**INFORMATION DISCLOSURE STATEMENT  
WITH STATEMENT UNDER 37 CFR 1.97(e)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

Submitted herewith are the following:

- (1) Copy of an Examination Report under Section 18(3),  
dated December 18, 2006, issued in a counterpart U.K.  
application;
- (2) Copy of the newly cited reference; and
- (3) Form PTO/SB/08A.

Said Examination Report is in English, thereby satisfying  
the requirements for a concise explanation of relevance for any  
non-English language publications cited therein  
(MPEP 609.04(a) III).

CERTIFICATE OF FACSIMILE  
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TO NO. 1-571-272-8300

TOTAL PAGES: **25**

I hereby certify that this  
paper is being facsimile  
transmitted to the  
Commissioner for Patents,  
on the date noted below.

  
Diane J. Hegstrom

Dated: January 23, 2007

In the event that this Paper is late filed,  
and the necessary petition for extension  
of time is not filed concurrently  
herewith, please consider this as a  
Petition for the requisite extension of  
time, and to the extent not tendered by  
credit card payment, authorization to  
charge the extension fee, or any other fee  
required in connection with this Paper to  
Account No. 06-1378.

GB 2171757 A, cited in the enclosed U.K. Search Report, corresponds to U.S. patent application No. 4,773,369 which was submitted to the USPTO with the Information Disclosure Statement filed February 8, 2006, concurrently with the filing of the original application papers. GB 2171757 A is listed on the attached Form PTO/SB/08A and a copy thereof is submitted herewith.

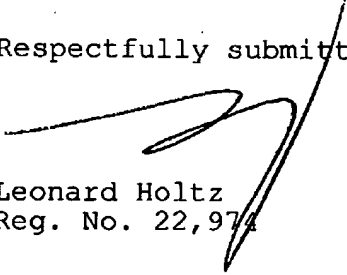
JP 06-101651 was previously submitted to the USPTO with the Information Disclosure Statement filed February 8, 2006. Another copy thereof is not supplied and it is not listed on the attached Form PTO/SB/08A.

**STATEMENT UNDER 37 CFR 1.97(e) (1)**

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of December 18, 2006. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

It is respectfully requested that the Examiner consider the present IDS and the prior IDS filed February 8, 2006, and that initialed copies of the Forms PTO/SB/08A be returned to indicate that the documents listed therein have all been considered and made of record.

Respectfully submitted,



Leonard Holtz  
Reg. No. 22,974

Dated: January 23, 2007

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PTO/SB/08A (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	10/567,614
				Filing Date	February 8, 2006
				First Named Inventor	Hiroshi SAWADA
				Group Art Unit	3671
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	06016/LH

**U. S. PATENT DOCUMENTS**

Exam. Inits <sup>1</sup>	Cite No <sup>1</sup>	Document Number	Kind Code <sup>2</sup>	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion

**FOREIGN PATENT DOCUMENTS**

Exam Inits <sup>1</sup>	Cite No <sup>1</sup>	Offc <sup>3</sup>	Document Number <sup>4</sup>	Kind Code <sup>5</sup>	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T <sup>6</sup>
		GB	2 171 757	A	KK KOMATSU SEISAKUSHO (JAPAN)	09-03-1986		

Examiner  
Signature

Date  
Considered

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Place a check here if English translation is attached.

DATE MAILED: January 23, 2007